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THE COMPRACHICOS.

JOHN BOYNTON KAISER.¹

The fertile brain of Victor Hugo—novelist, dramatist, poet, statesman, and sociologist—has given the world numerous studies in criminal sociology which, for human interest, will ever remain classic. Less classic and less well known than many of these studies, yet strangely combining fact and fiction is the second of the two preliminary chapters to *L'Homme Qui Rit* wherein Hugo describes at length a people whom he calls by the Spanish compound word Comprachicos, signifying child-buyers.

It is a chronicle of crimes and punishments in which strange history is written and cruel and forgotten laws recall to mind ages long since past. Much condensed, though freely employing his own language, Hugo's description of the Comprachicos is given here; the language of no other will suffice.

The Comprachicos, or Comprapequeños, were a hideous and nondescript association of wanderers, famous in the 17th century, forgotten in the 18th, unheard of in the 19th. They traded in children, buying and selling them, but not stealing them. They made of these children monsters. The populace must needs laugh, and kings too. The montebank is wanted in the street, the jester at the Louvre; the one is called a clown, the other a fool. By the artificial production of teratological cases the Comprachicos developed a science and practiced an art. They kneaded the features, stunted growth, and fashioned hunchbacks and dwarfs; the court fool was their specialty.

Doctor Conquest, member of the Amen Street College, and judicial visitor of the chemists' shops of London wrote a Latin treatise on this pseudo-surgery. Justus of Carrickfergus states that a monk named Avonmore was its inventor. A remarkable specimen of this science was Perkeo, the dwarf of the Elector Palatine. Another type of manufactured monster was that utilized by the Sultan and by the Pope; in the one case for the Seraglio, in the other for the Sistine Chapel.

The kings of England had a sort of Watchman who crowed like a cock. This man had in his childhood undergone the operation of the pharynx which was part of the art described by Dr. Conquest. The Comprachicos were also called the *Cheylas*, a Hindu word, which conveys the image of harrying a nest and allowing for the shade which divides a trade from a fanaticism, were analogous to the Strangers of India. Under the Stuarts, for reasons of state, they became almost an *instrumentum regni*. Their genius for disfigura-

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tion could be used to better advantage than the hand of the murderer. A deformed, stunted thing was made similar to what the Chinese produced by placing a young child in a vase of grotesque shape and leaving him there for years. When the vase was broken the contained kept the shape of the container.

These people were of all countries, a fraternity of vagabonds pursuing the same calling, the riffraff of the universe, having for their trade a crime. A statute of the early part of William and Mary's reign hit the association of child-buyers hard. By its terms those of the fellowship taken and duly convicted were to be branded with a red-hot iron, imprinting R on the shoulder, signifying rogue; on the left hand T, signifying thief; on the right hand M, signifying man-slayer. The chiefs were to be punished in the *collistrigium*, that is, the pillory, and branded on the forehead with a P, besides having their goods confiscated and the trees in their woods rooted up. As for the women found among the men, they were to suffer the cucking-stool, that is, a tumbrel, the name of which is composed of the French word *coquine*, and the German *stuhl*. The cucking-stool is suspended over a river or a pond, the woman seated on it. The chair is allowed to drop into the water, and then it is pulled out. The dipping of the woman is repeated three times, "to cool her anger," says the commentator, Chamberlayne.

Let us for a moment recall very briefly the story of The Man Who Laughs and the part played in it by the subjects of our inquiry. The hero, known to the reader as Gwynplaine, is the legitimate son and consequent heir of a deceased nobleman, who was sold in the year 1682 "by order of His Majesty" to a leader of a band of Comprachicos. They work upon him, mutilating his ears, eyes, nose and mouth, and make of him a laughing mask by performing the operation which Dr. Conquest describes as *Bucca fissa usque ad aures, genезivis denudatis, nasoque muredridato, masca eris, et ridebis semper*. And very poor medieval Latin it is for "Cheek slit clear to the ears, gums laid bare, and nose battered, you will be a mask and will ever grin." Gwynplaine is trained as a montebank. The band desert him, and with the exception of the member who has performed this operation perish in a storm at sea, but not until their sealed confession is set afloat. The abandoned child is taken in by an itinerant vendor of patent medicines who combines the qualities of philosopher, showman and grumbling philanthropist. He reaches man's estate and his face is his fortune. The sealed cask of the perishing Comprachicos is, of course, found and the confession it contains leads to the arrest of Hardquanonne, the only remaining member of the band and the disfigurer of Gwynplaine. The latter confronts him on the fourth day of his enduring the *peine forte et dure* for failure to admit his guilt or testify in court. With his dying gasp Hardquanonne *laughs* at his victim and confesses.

This is the story in brief so far as it pertains to the business immediately before us, which is to ascertain how much is fact and how much is fiction of what has been given about the Comprachicos as history. To enter into the "dissection of names and the anatomy of probabilities"

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with regard to a novel by Victor Hugo is, perhaps, undertaking a dangerous operation, but, should it be needed, precedent can be produced.

English and American literary criticism from 1869 on has taken little account of the question of the historicity of the Comprachicos. If it has touched upon it at all it assumed that these people were the product of an overwrought or at least a highly developed imagination. Comment in French literature is rare, and in the same strain. The word Comprachicos was created by Hugo; so much is established. It is a correctly formed Spanish compound word, but has never been used in ancient or modern Spanish in either the literary or vulgar language of the Spanish people. This tendency of Hugo's to create self-interpretative words, correctly made from the viewpoint of philology has not escaped the notice of the historians of French literature.² *Cheylas*, used synonymously by Hugo with Comprachicos, is, as he states, a Hindu word. It comes from the Sanscrit *Chetaka*—servant, slave, pupil, disciple or follower, but does not carry with it the added image of harrying a nest.

That the problem is beset with difficulties is given further evidence by the fact that our leading criminologists can offer slight assistance. Dr. Constancio Bernaldo de Quirós, who has examined the historical annals of crime in Spain, and whose *Modern Theologies of Criminality* has recently been given us in English, answered a general query put to him by saying that there is no documentary proof for this chapter in Victor Hugo, but he admitted that occasional instances of the buying and selling of children do occur in Spain. He named Hurdes and Ancares as regions where it was not entirely unknown.

Professor Hans Gross, of Graz, whose researches have led in part into similar fields admits that he, too, has never found documentary proof of any such practices as are ascribed to the Comprachicos. Although he has been for many years engaged in tracing to their sources the accounts occasionally seen in the newspapers of London, Paris, and Rome, of children stolen or purchased and then artificially deformed for the purpose of begging, he has found none of them authenticated by evidence. He gives it as his belief that some such newspaper account is the basis of this romance of Hugo's.

Mr. Arthur McDonald, whose published researches in the subject give authority to his words, has expressed the belief that such practices may have been not only possible but probable under exceptional conditions.

To these general views of the question add that of Dr. Paul Berret

² (See Leo Claretie's *Hist. de la Litt. Française*, Ed. 2. Par. 1909, v. 4, p. 205.)

of the University of Paris, who has recently produced a source-study³ of de Victor Hugo. Paris, 1911. certain of Hugo's works. In preparing this study Berret read all the books that Hugo had while at Guernesey, where *L'Homme qui rit* was written, and he comes to the conclusion that it is possible to reach a definite solution of the question regarding the Comprachicos. The matter does not come up in the source-study alluded to, but the opinion has been expressed in a letter to the writer. Further, there is a statement purporting to come from Victor Hugo himself in which he gives his source for this chapter now under investigation. But let us leave these for consideration a little later, and examine some of the matter we have already quoted from Hugo above.

Of Dr. Conquest, the author of the Latin treatise, of Justus of Carrickfergus, and of Avonmore no trace appears. The name "Dr. Conquest" may have been suggested by that of Dr. John Conquest (1789-1866), a noted man mid-wife of London, who died shortly before this book was written. Or, it may have been that there was a Dr. Conquest in the College of Physicians in London which had its home at the end of Amen Street from 1652 until the Great Fire in 1666, but several contemporary lists of members of the College do not contain his name. Justus is a name not unknown to history, but a search reveals none such hailing from the little seaport town of Carrickfergus on Belfast Lough.

The buying and selling of children is one of the practices attributed to Comprachicos. History records that such a practice was well within the *jus vitae necisque* conferred by the patria potestas of Roman law upon the parent of the child and sales into bondage, where the member of a family was treated as a mere chattel representing a certain money value, must have been of tolerably frequent occurrence.⁴ The traffic in the bodies of their own children carried on by the patriarchs of the Roman race is noted in Edward Poste's commentary on the Institutes of Gaius.⁵ It was declared unlawful in the times of Diocletian and Maximian, but was allowed immediately after birth in cases of extreme poverty under Constantine, and this latter provision was retained in the Code of Justinian.

Occasional instances of child-selling have been recorded in Spanish history, for example, at the time of the expulsion of the Moriscos. Charles Henry Lea, in the *Moriscos of Spain*, refers to some passages in

³ Berret, Paul: *Le moyen age dans le Légende des siècles et les sources* (Ledlie's *Sohm's Institutes*. Ed. 2. Oxf., 1901, p. 502.)

⁵ (See his *Gaii institutionum iuris civilis commentarii; or Elements of Roman Law by Gaius*. Oxf., 1875, p. 65-66.)

Jener and Cabrera on this subject, which allude to the time when the Royal Council was discussing what should be done with the children of the Moriscos. In Anglo-Saxon law the right to sell children into slavery was limited to cases of necessity, and applied only to those under seven years of age.

But to meet the issue more squarely, let us see whether in English law there is any legislation that will give the semblance of truth to Hugo's statement that a statute of the early part of William and Mary's reign "hit the association of child-buyers hard." In the *Statutes at Large* none appears and a search through other editions of the Statutes and an examination of the works of the legal historians and commentators has failed to reveal any during any period of English history. But in one out-of-the-way source there does appear an enactment passed only some forty odd years before the time given by Hugo. An edition of the "*Acts and Ordinances of the Interregnum, 1642-1660*," edited by C. H. Firth and R. S. Rait, contains an "Ordinance against stealing Children," passed May 9th, 1645, which reads in part as follows:

Whereas, the Houses of Parliament are informed that divers lewd persons do go up and down the City of London, and elsewhere and in a most barbarous and wicked Manner steal away many little Children: It is ordered by the Lords and Commons in Parliament assembled, That all Officers and Ministers of Justice be hereby streightly charged and required to be very diligent in apprehending all such persons as are faulty in this Kind, either in stealing, selling, buying, inveigling, purloining, conveying, or receiving Children so stolen, and to keep them in safe Imprisonment until they may be brought to severe and exemplary Punishment.

It is further ordered, That the Marshals of the Admiralty and the Cinque Ports do immediately make strict and diligent Search in all Ships and Vessels upon the River, and at The Downes, for all such Children, according to such directions as they have or shall receive from the Committee of the Admiralty and Cinque Ports.

It is not difficult to see how the strict enforcement of such a law could "hit hard" an association of the nature that Hugo has described, and the language of the Ordinance reflects a state of society but little at variance with the pictures of the times Hugo has given.

Still, the questions remain; did Hugo have knowledge of this law, and did he have this specific law in mind when he wrote? The law had been passed not long before the period in which his story is set and although direct evidence is lacking yet the presumption that Hugo knew of this law and utilized his knowledge at this point is not far-fetched.

The brands alleged to have been inflicted upon the members of this association when convicted were indeed prominent features of English penal legislation. The R on the shoulder signifying Rogue is in accordance with 1 Jas. I. c. 7 (1604) which reads:

" . . . as shall by the said justices be adjudged incorrigible or dangerous shall be branded in the left shoulder with a hot iron of the breadth of a shilling with a great Roman R upon the flesh."

The T for thief and the M for man-slayer appear in 4 Hen. 7, c. 13, as we see in the following:

" . . . And that evy suche p[er]sone so convicted for murdre to be marked with a M, upon the brawne of the lefte thumbe, and if he be for eny othre felony, the same p[er]sone to be marked with a T in the same place of the thumbe . . . " (1487).

Many other brands were known to English law such as the F, in one case for falsity and another for Fraymaker (34 Edw. 3, c. 10, 11, and 5-6 Edw. 6, c. 4, sec. 2, in the years 1360 and 1552 respectively); R again for counterfeiters and coin clippers (6-7 Wm. 3, c. 17, 1694); the S and V for Slave and Vagabond (1 Edw. 6, c. 3, 1547); the B for Blasphemer, the M for Malefactor, FA for "false accusing" and SS for "stirrer up of sedition." Before the practice was discontinued in England in 1829 like punishments had found their way into the criminal statutes of the American Colonies.

The pillory was a common punishment for various offenses, but no instance of the letter P being branded on an offender either to indicate his having stood in the pillory, or, as might be expected, for having committed a perjury, has come to light. Is it possible that both Hugo and his "source" for this piece of information are confusing the badge consisting of a large letter P which was ordered worn by persons receiving parish poor-relief with the custom of branding criminals?

It is quite evident from a comparison of Hugo's words given above that in speaking of branding, the pillory and the cucking-stool he is closely following the "commentator Chamberlayne," to whom he makes reference. The authorized French edition of Hugo's works gives us this citation in a note—"Chamberlayne; État présent de l'Angleterre, 1688." This particular edition of Chamberlayne in the French has not been available, but the fourteen separate editions—from the third in 1669 to the thirty-eighth in 1755—in the University of Illinois Library all bear witness of Hugo's debt to his authority. The quotations given below are taken from the English edition of 1726, edited by Edward Chamberlayne's brother John, and entitled *Magna Britannia Notitia; or, The Present State of Great Britain*, but this edition retains enough of the earlier ones—it first appeared in 1669—to bear out my statement. This Edward Chamberlayne, one of the original members of the Royal Society, born 1616, wrote and translated a number of historical tracts, but the work just cited is his best known. It is an obvious adaptation of "L'État Nouveau de la France" (Paris, 1661) and is a handbook to the social and political condition of England.⁶

⁶ (See art. *Chamberlayne, Edward*, in Stephen's *Dic. of Nat. Biog.*)

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Chamberlayne says, p. 193 of the edition I have noted:

"In all such felonies where the benefit of clergy's allowed (as it is in many) there the criminal is marked with a hot iron with an M for manslaughter, on the left hand, or with a T for thief; and wandering rogues are to be marked on the shoulder with an R".

Again he says:

"*Perjury*, by bearing false witness upon oath, in a court of record, is punished with the pillory, called *collistrigium*, the criminal burnt in the forehead with a P, his trees growing upon his ground to be rooted up, and his goods confiscated. . . . Scolding women are to be set in a Trebuchet, commonly called a cucking-stool, probably from the French Coquine, and the German stuhl, the Queen's chair, placed over some deep water, into which they are let down, and plunged under water thrice to cool their choler and heat."

In following Chamberlayne as a source Hugo had not gone far astray, as the foregoing citations to the actual statutes on branding and the many available pictures of the times give evidence. The use of the term "cucking-stool" by both where one might expect "ducking-stool" is an instance of the confounding of terms originally distinct in meaning but which have come by common usage to be interchangeable.¹

Any adequate investigation of this subject would go deeply into the historical literature surrounding vagrants and vagrancy, the gypsies, the Abrahamites or Pikers, and the scores upon scores of other half-organized vagabond groups with which the criminal law had to deal in sixteenth and seventeenth century England. For modern accounts of this matter, read Owen Pike's *History of Crime in England* (2v. Lond. 1876), Sir James Fitzjames Stephen's *History of the Criminal Law of England* (3v. Lond. 1883), or Ribton-Turner's exhaustive and admirable volume on *Vagrants and Vagrancy* (Lond. 1887)—to name but three. You will find in each many settings in which a band of so-called Comprachicos would appear natural actors. For contemporary evidence see the diaries of Luttrell and Evelyn, the histories of Burnet and Clarendon, the Memoirs of Grammont and the writings of James II himself. They should dispel any doubts as to whether England under the Stuarts could have been the scene of action of a band of criminals as terrible as the "child-buyers."

To James II Hugo assigns the responsibility for Gwynplaine's plight, but he sets the date of the selling as 1682, when Charles II was still king. Is there anything in history that may have suggested this action as having been "by order of the king?" There is still some doubt as to whether Charles II was implicated in the very mysterious and temporarily successful attempt to abduct the son of Lucy Walters of Rotterdam, his acknowledged child, born April 9th, 1649, who later became

¹ (See Andrews, Wm., *Old-time Punishments*. Lond., 1890, Chap. 1.)

the Duke of Monmouth.⁸ It is recorded also that the outrage which led to the passage of the Coventry Act was committed by the desire of King Charles. It seems that Sir John Coventry let fall a jest in the House of Commons upon the partiality of Charles II for actresses and some officers of the King's Guard waylaid him and succeeded in slitting his nose, though he made a gallant defense. As a result the Commons passed the Coventry Act, 22-23 Charles II, c. 1, which protected, as far as penalties can, the eyes, tongue, lips, nose and limbs of Englishmen and made possible a better procedure in cases of willful maiming than the ancient appeal of mayhem.⁹

Referring to an instance of brigandage at Yarmouth in 1345 Pike says, "Nor is it less certain that the whole band and their leader were pardoned in consideration of the good services rendered the king."¹⁰

And these are but a few of the sources which show that organized lawlessness was common in the England of which Hugo writes, and that bodily mutilations were too common a sight to cause even passing comment. That Hugo knew these things is certain, for he was withal a scholar, and it is not important just here to locate his exact source for this information. The evidence is produced to show that slight strain was at this point put on the imagination of the novelist when he undertook to reproduce these times in his writings.

Subsequent chapters of "The Man Who Laughs" suggest other possible clues which need examination. In the second chapter of Book II Ursus assumes to read from Dr. Conquest under the title "*De Denusatis*," and again from Hugo Plagon's "*Versio Gallica Will, Tyrii*, lib. II. cap. xxiii," citing the passage *nares habens mutilas* in such a way that one is tempted to believe that knowledge of the person who bore this mutilation and of the perpetrators of the deed will be of definite value. The citation is an accurate reference to William of Tyre's *Historia rerum in partibus transmarinis gestarum*, chapter 23, book 2, and as found in Migne's *Patrologiae*, reads as follows:¹¹

Adjunxerat se etiam nostrorum castris quidam Graecus, Tatinus nomine, imperatoris familiaris admodum, vir nequam et perfidus, *nares habens mutilas* in signum mentis perversae. Hic ex imperali jussione ducem viae ad ampliorem cautelam postulantibus, designatus fuerat dux itineris et comes futurus.

"A certain Greek named Tatinus had attached himself to our camp, a man intimate with the emperor but worthless and treacherous, whose nostrils had been mutilated as an indication of his rascally character. By order of the emperor this man had been assigned as our conductor and companion when we asked for a guide to insure greater safety."

⁸ Airy, Osmund: *Charles II*. New Ed. Lond., 1904.

⁹ Pike op. cit. v. 2, p. 239, 633.

¹⁰ Ibid, v. 1, p. 247.

¹¹ Vol. 201, col. 274.

Mention is made of the same man in the best French edition,¹² and in Colvin's reprint of Caxton's translation,¹³ under such varied spellings as Tatin and Tatins, latyns, Latins, Latinus, Tacius and Tantyn. A note¹⁴ in Colvin's reprint says that Latyns is a corruption for Tatinus or Estatin, called Tatinus the Noseless, who was Prefect of the Palace of the Emperor of Constantinople, but whom Anna Comnenus calls Tati-kios, saying that he was a Saracen by birth. He is called Tatice L'Es-nasé in the *Chanson d'Antioche*. The French text has a note on *nres habens mutilas in signum mentis perversae* explaining that the mutilation had been inflicted as a punishment, but adds that the *Chanson d'Antioche* represents Tatinus as one of the wisest and best of the emperor's counsellors, in which view Anna Comnena concurs. This *Chanson d'Antioche* is a poem written about 1180 by Graindor of Douai, who used as a basis the verses of Richard le Pelerin. The work of Anna Comnena (1083-1148?) referred to is the *Alexiad*, a history of the reigns of Isaac Comnenus (2 books) and Alexius I Comnenus (1048-1118), thirteen books, the latter one of the ablest rulers of the Byzantine Empire.

To Professor Barker of St. John's College, Oxford, I am indebted for further references to this man. Raymond of Agile describes him as *naribus truncus et omne virtute*—he had lost his nose and his character. Again he appears in Hagenmeyer's *Gesta Francorum*, in Peter the Hermit and in Von Sybel's *History*,¹⁵ but none of them gives any valuable or suggestive clues to the perpetrator of this mutilation.

Volumes have been, and might again be devoted to a history of mutilation as a crime, and to mutilation and torture as legal punishments among others. Voltaire, in his anonymous commentary on Reccaria, has mentioned the mutilation Hugo notes as being commanded by the Sultan and the Pope. And at least one book has been written on the subject "Hanging in Chains," a victim of which obsolete practice, Gwynplaine, as a lonely boy, was called upon to witness.

To one of these obsolete punishments—the *peine forte et dure*—Hugo has Hardquanonne submitted for failure to testify or admit his guilt as mutilator. The punishment is vividly pictured; here again Hugo is following Chamberlayne with a result quite in accord with the records of history, as both Pike and Stephen and others bear witness. This punishment of being literally crushed to death with weights of stone and iron was not removed from the English statutes until 1772, by the passage of

¹² By Paulin Paris, Paris, 1879.

¹³ Printed by Caxton in 1481, reprinted by Early English Text Society, London, 1893.

¹⁴ Note 23, p. 148.

¹⁵ *History and Literature of the Crusades*.

12 Geo. 3, c. 20; and it was not unknown in the early part of the eighteenth century, to which Hugo assigns it.

Witnessing this punishment, we hear cited the *Laws of Alfred and Godrun*, the *Anglica Charta* of 1088, the *Consuetudo brittanica*, the *Leges Inae*, and the *charter and statutes* of King Adelstane. Further, Victor Hugo descants thus:

"Plagiary," said the serjeant of the coif. "That is to say, a buyer and seller of children. Law of the Visigoths, seventh book, third section, paragraph USURPAVERIT, and Salic law, section the forty-first, paragraph the second, and law of the Frisons, section the twenty-first DE PLAGIO; and Alexander Nequam says, *Qui pueros vendis, plagiarius est tibi nomen.*"

An edition of the *Corpus Juris Germanici*, by Ferdinand Walter (3v. Berlin, 1824), gives us these three laws in the Latin (dating about 400-600 A. D.) They all deal with the stealing or kidnaping of slaves, freemen or their children. The third paragraph of title 3 of the Visigothic Code states that "for a child to be sold by its parents, or to be kidnaped, is as serious a crime as the commission of homicide." The reference to Salic law is also in point, and the *de plagio* paragraph of the Frisian law especially appropriate. The original Latin has it:

Si quis hominem, vel nobililis nobilem aut liberum, aut liber liberum, vel liber nobilem extra patriam vendiderit comp. eum, ac si ab ipso fuisset interfectus, aut eum ab exilio revocare studeat. Si vero, qui venditus fuit, reversus fuerit et eum, qui se vendiderat, de facinore convenerit, comp. si bis iuxta quod fuerit adpretiatus, et solid. XII, ad partem regis componat.¹⁶

The anacronism of invoking these laws in the eighteenth century goes without saying, but, is it possibly a conscious satire on Hugo's part on the reverence of the law for its own ancient and out-worn precedents?

Whether the quotation from Alexander Nequam—Nequam being a pun on his real name Neckam—is correct cannot be said, as but one of his works has been accessible, the *de Natura rerum*; still the remark was at one time true.

Professor Frank W. Chandler of the University of Cincinnati, whose "Romances of Roguery" and "Literature of Roguery" are fine and elaborate studies of their subject, has called my attention to a passage in Dr. Carlos Garcia's *La Desordenada de los Bienes Ajenos* (Paris, 1619), which is indeed pertinent to this question of the Comprachicos. Describing the various orders of Spanish rogues, the author mentions

¹⁶ If any one shall have sold a man out of his country—either a noble a noble or a freeman, or a freeman a freeman, or a freeman a noble—let the seller pay the value of the sold just as if he had been slain by him (the seller), or let the seller see to it that the sold be recalled from exile. But if the sold shall have returned, and shall have called the man who sold him into court to answer for the deed, the seller shall pay to the sold twice his assessed value, and shall also pay for the king's share thirteen *solidi*.

the *Dacianos* "held in the least esteem in the republic" of thieves. They kidnap children three or four years of age and "breaking their arms and legs, lame and disfigure them that they may afterwards sell them to beggars, blindmen, and other vagabonds."¹⁷

Garcia's book was translated into French as *L'Antiquité des Larrons* by D'Audiguier and published in Paris in 1621 and 1623 and at Rouen in 1632. It was, therefore, quite available to Hugo and treating of a favorite subject of his, it is not improper to suppose that he had run across it in one of his numerous excursions into rogue literature. Still, granting that he knew it and was here embodying in his own work an idea borrowed from it, it is merely a case of one romance being used as the source of another and does not add anything to our knowledge of actual history utilized by Hugo.

It may be that both Garcia and Hugo were helping to perpetuate one of the legends which still survives in one of the valleys of northern Spain. "In the seventeenth century," says Hugo, referring to the periodical meetings of the leaders of the Comprachicos, "they had four principal points of rendezvous: one in Spain—the pass of the Pancorbo . . ." Evidence of the survival of this legend—if it be only legend—is found in so recent a publication as Professor John D. Fitz-Gerald's *Rambles in Spain*, which appeared in the fall of 1910. Professor Fitz-Gerald writes as follows:

"At seven o'clock we passed through Vitoria, of which mention has already been made, and about two hours later reached the celebrated *Garganta de Pancorbo*, or Gorge of Pancorbo. The wild scenery of the gorge is not its only interest. During the Middle Ages it is believed that there were two or three bands of criminals devoted to a specific trade, namely that of child stealing. The children thus obtained were kept in various secluded mountain fastnesses, and were tortured and made cripples (special predilection being exhibited for the production of humpbacks and dwarfs), so that they might be sold later to kings and princes to serve as court fools. The Gorge of Pancorbo is said to have been the home of one of these infamous bands."

Let us now take up Berret's letter mentioned earlier. He writes:

The question of the Comprachicos (whom Victor Hugo calls also the *Compra-pequeños*, *Cheyas*, or *Zaghles*) is curious. It is not yet settled; it occasioned at the time of your writing an article by E. Bergerat in *Comoedia* (for May 21), "My first dinner with V. Hugo." Bergerat cites a source which appears to me quite fanciful.

For my part I believe we can reach an exact solution.

First of all, anyone interested in the general Spanish and English sources

¹⁷ *Libros de Antano*, v. 7, p. 83. Madrid, 1877.

of V. Hugo need only consult the two works which I am about to publish on the sources of V. Hugo.¹⁸

For the particular point about the Comprachicos it would be interesting, following a note of Hugo's, to get information about the buffoon of James the Fourth of Scotland, who presents the same deformities as the hero of the *Man Who Laughs*. In searching either in a history of James IV or in monographs on buffoons or court fools, we could certainly get our information.

In reading the two volumes I suggest, you will see that Victor Hugo invents little whatever has been said to the contrary. He carefully fortifies himself with documents, but here and there it is difficult to trace the source of his information.

Further search inclines one strongly to accept Berret's court fool theory. Evidence of the artificial dwarfing and deforming of children and the marketing of the finished product of the industry is still available in the histories of court fools and court dwarfs. However, a description of the court fool of James IV of Scotland found in Moreau de Cours' *Fous et Bouffons*¹⁹ (p. 54) does not confirm the contention that this person bore the same mutilations as Gwynplaine. He seems to have been almost a case of Siamese Twins, for he is spoken of as a double monster; one being bright and lively, the other a dull, drunken idiot who ended by killing his brother and dying himself an alcoholic. Doran's "History of Court Fools"²⁰ gives a description of Jemmy Camber, court fool of James V of Scotland, and this description, found originally in Robert Armin's "Nest of Ninnies,"²¹ would scarcely seem even remotely suggestive of Gwynplaine to the most generous of source-seekers, though Camber has a few of the characteristics of the former, such as

"Nose flat * * * wide of mouth * * * whose very presence made the King much sport * * * and he did come of gentle blood."

The many instances of Victor Hugo's using the court fool in his various writings suggests that he is familiar with and interested in his history. In this connection a search through this history brings to light some additional evidence that much of the chapter on the Comprachicos need not be considered fictitious.

The court fool has occupied a place in the pages of history from the days of the Ramayana, in the fifteenth century B. C. He appears at the courts of Philip of Macedon, Attila, Haroun-al-Raschid and

¹⁸ *Le Moyen Age dans La Légende des Siècles et les Sources de Victor Hugo*, and *La Philosophie de Victor Hugo* (1854-1856), et deux *Mythes de La Légende des Siècles*. (Paris, 1911).

¹⁹ Paris, 1885.

²⁰ Lond., 1858.

²¹ Reprinted in Shak. Soc. Pub., v. 16. Originally pub. 1607.

Montezuma and to the number of 500 in the retinue of the African potentate Monomotapa. During the middle ages he flourished in varying numbers in all the royal households and even at the courts of the lesser nobility he was a prominent and frequent figure. His female counterpart is known to history from the days of Harpaste, *folle* of the wife of Seneca, to Kathrin Lise *folle* of the Duchess von Saschen-Weissen-Dahme of Drehna, 1722.

Douce *On the Clowns and Fools of Shakespeare*,²² gives nine classes of fools; Gazeau²³ mentions five types of "bouffons," but it is necessary to leave this interesting literature with its goodly bibliography and consider the more specific question of court dwarfs, especially the artificially dwarfed and deformed little creatures who have at different times played their parts as court appendages. To go back in history, the dwarfed Akka race of Equatorial Africa figured at the courts of the Pharaohs and Tom Thumb in the tradition was at Arthur's court.

The first authentic court *dwarf* in England was Xit, in the retinue of Edward VI, and the last was Copperin, dwarf of the Princess (Augusta) of Wales, mother of George III.

Zercon, the Moor at the court of Attila in 449, was a hunch-backed dwarf, bandy-legged, flat-nosed, and a stammering idiot.

Concerning artificial dwarfing Doran (p. 39) says that parents often made their children dwarfs by stunting their growth in order to make profit out of them, and he mentions (p. 36) the *Forum Morionum*, that Roman market for mis-shapen creatures, heavy and hideous in body and childish in mind, the sport of kings and emperors and kept by "ladies" for amusement in their own apartments. Larousse confirms this, saying that the traffic in male and female dwarfs became so great at Rome that there was needed a special market for this kind of merchandise and that the profits were so considerable that the Orientals took up the artificial production of this marketable commodity. By a process identical with that of the Chinese, who bind their daughters' feet, they were able to produce stunted and deformed creatures with which they furnished the Roman markets. At Pompeii are found Etruscan vases from which the Romans used to drink and which have the form of these disgusting creatures, the playthings and laughing-stock of a *blasé* society. The Greeks and Romans learned the industry from the Orientals and during the "Bas-Empire" the dwarfing of dogs was followed by the art of arresting growth in the human race. Court dwarfs were again the fashion and

²² In his *Illustrations of Shakespeare*, Lond., 1839, p. 497-518.

²³ *Les Bouffons*, Paris, 1882.

the recipe for their manufacture was the same as at the time of Domitian and Tiberius.

The new Britannica (Articles *Fool* and *Dwarf*)—to cite another secondary but well recognized authority—states that during the Empire the manufacture of human monstrosities was a regular practice, slaves of this kind being much in request to relieve the languid hours. *Scurrae* and *Moriones* were the Roman parallels of the medieval witty fool and the Latin *Nanus* and *Pumilo* were terms alternately used to describe the natural and unnatural dwarf. Various recipes for dwarfing children have been from time to time in vogue. The most effective, according to report, was to anoint the backbone with the grease of moles, bats and dormice, at least so runs the rule in the *Miscellanea Curiosa Medica Physica*, published at Leipsic in 1670. George Ebers, in his well-authenticated novel of Egyptian life, *Uarda*, shows a dwarf in the making and another of these creatures figures prominently in the story. In this case the dwarfing is brought about by strapping the unfortunate infant in a box or on a board so shaped that he is squeezed into too small a space, a plan which promises more efficacy than that recommended by the old German medical miscellany.

And so the history of an obsolete phase of human society gives evidence of the artificial production of teratological cases and that, too, before the days of experimental teratology as studied by Etienne Geoffrey St. Hilaire and his fellow scientists.

But before leaving this phase of the subject two other matters should be noted. After saying that the court buffoon was nothing but an attempt to lead man back to the monkey Hugo adds that at the same time they tried to make a man of the monkey himself. He names Barbara, Duchess of Cleveland, Frances Sutton, Catherine Sedley, and a Duchess of Medina-Celi as great ladies in whose retinues were to be found marmosets, baboons, Cape monkeys and an orang-outang. Whether or not these very ladies were so attended is not discussed here, but the custom was indeed at certain times in vogue, as much so as was the black foot-boy during the so-called *l'époque Pompadour*. Further, this same literature of court fools authenticates Hugo's allusion to the king's cock-crower, made in this chapter on the Comprachicos and precedent is also found for the knighting of a montebank, which occurred in the reign of Queen Anne. This may have been not without its effect on the career of Gwynplaine, the montebank made peer.

Perkeo, dwarf of the Elector Palatine, "whose effigy or ghost springs from a magical box in the cave of Heidelberg" is called a remarkable specimen of the Comprachicos' art. Perkeo was in truth fool of Charles-

Phillippe, Elector of the Palatine, in 1728, and a grotesque statue of painted wood representing him is appropriately placed in front of the celebrated tun of Heidelberg. One story is that he never went to sleep without having absorbed some 18 or 20 of its 140,000 liters of excellent Rheinish wine. Another, that for 15 years he jealously guarded this huge cask from which he alone might drink until at length it was emptied and he lay down beside it and quietly passed away, leaving as a final request that he be buried with his mouth under the faucet and that a statue of him be placed where he was wont to sit. Both requests were complied with.

In Hugo's *Le Rhin* (letter 38) there are several pages devoted to a description of Heidelberg's famous cave, the great tun, and its diminutive and jovial guardian. Beside the guardian statue is a clock which opens when a thread is pulled and out comes a fox's tail to brush the face of the inquisitive visitor. This is the buffoonery of the little dwarf. Did the ironical, sneering, hideously joyful, and immovable smile carved on the face of this grotesque statue suggest to Hugo the laugh which the Comprachicos affixed to the child Gwynplaine?

And what of the Cheylas mentioned earlier as synonymous with Comprachicos, and what of the analogy to the Stranglers of India? The Stranglers of India—the Thugs or Phansigars—were an extraordinary fraternity of assassins known to India for many, many years. Their history has often been written and we may note here only the analogy to the supposed Comprachicos. They were indeed an organized people bent on a peculiar form of murder. It was their trade, almost their religion, better, perhaps as Hugo says, their fanaticism. In the "Ramaseeana or Vocabulary of the Thug Language" appended to Captain Sleeman's two small volumes of the "Thugs or Phansigars of India"²⁴ there occurs the word *Cheyla*, explained under the entries "Augureea," "Bhurtotee," and "Margee," in each case meaning a disciple, slave, or follower. It cannot mean Comprachicos any more than can Comprachicos be considered a real Spanish word. The main point made here is that it is a real word and is found in a description of actual people of whom Hugo says the Comprachicos were analogous.

Now, after endeavoring to solve this problem with information that has come down from others, has Hugo himself left anything bearing on it?

In Berret's letter he calls "fanciful" an explanation of the origin of the Comprachicos given by E. Bergerat. Bergerat writing of a dinner at the home of Hugo says:²⁵

²⁴ Philadelphia, 1839.

²⁵ *Comoedia*, May 21, 1911, Paris.

" . . . Victor Hugo only said further that it was at Guernesey that he had written his best book.

"Which, master?"

"*L'Homme Qui Rit*. England is all in *L'Homme Qui Rit* and it alone is there. You believe that the Comprachicos are an invention of my own, but you are wrong. The Comprachicos are authentic. Their historian, Chiclardus, has furnished me the elements of *L'Homme Qui Rit*. I have only put them into a book."

"Who? Chiclardus?" asked Monselet, his eyes turned on the smiling face.

"And the poet enjoyed his mystification. 'Well! Well! Charles Monselet, the scholar, the bibliophile, the Monselet who knows everything does not know Chiclardus; not even the name, I vow! Well, when we came to Jersey after the Coup d'Etat, I found there a lot of sixteenth and seventeenth century books, Latin for the greater part, which the Protestant *Emigrés*, driven from home by persecution and tyranny, and brought and left there. They were being sold at their weight in paper. I saved as many as I could and among the number were the works of Chiclardus, unfortunately incomplete. So incomplete were they that but one volume remained, the twelfth, but luckily it treated of the Comprachicos, the robbers and deformers of children.

From this odd volume came *L'Homme Qui Rit*. There you are!"

The bibliographical division of the Library of Congress after searching through its biographical dictionaries and bibliographies of the 16th and 17th centuries reports itself unable to throw any light on this Chiclard. Mr. Fortescue, late Keeper of the Printed Books, in the British Museum, writes that he too cannot find even the name Chiclard or Chiclardus and that his judgment is that the story of such an author is imaginary. Yet, Dr. Paul Berret, mentioned above, has recently been able to bring to light this obscure author. In the *Revue d'Histoire littéraire de la France* for January-March, 1912 (p. 150-152) he reprints the portion of Bergerat's article from *Comoedia* wherein Chiclard is mentioned. He reminds us that all editions of *L'Homme Qui Rit*, part II, book I, chapter III, have in the text the quotation, *Reginam coram rege crura denudavit*, with a footnote indicating the source for this information as *Schiklardus, in proemio Tarich*. Jersica F. 65.²⁶ On this note, says Berret, Bergerat has built the scene recorded in *Comoedia*.

From a manuscript of Hugo's, Berret has learned that this Schiklardus (or Schicklardus) is a misprint for Schikardus, the name of a learned German scholar of the 17th century, professor of Oriental languages at the Academy of Tubingen. Small wonder, then, that the libraries named above could not locate him under the name Chiclard.

The writings of this scholar, however, are all on oriental and Hebrew philology, says Berret, who has examined his works in the Bibliothèque Nationale, and throw no light on this Comprachicos problem.

²⁶ The edition *ne varietur* of Hugo's works, v. 12, p. 308, has the note *Regina Saba coram rege crura denudavit*, Schicklardus in *Proemio Tarich*. Jersici F. 65, referring, as Berret notes, to the history of the kings of Persia entitled *Tarich, h. e. series Regum Persiae . . . cum proemio longiori . . .* " by Wilhelmus Schikardus, 1628.

THE COMPRACHICOS

So, while "Chiclard," that is Schikardus, is found, the problem remains.

In a letter to his publisher, Lacroix, in December, 1868, after he had announced the publication of a new work by Hugo which he characterized as a *Roman historique* the famous novelist wrote:

"When I paint history I make my historical characters do only what they have done or could do, their characters being given, and I let so-called invention interfere as little as possible. My way is to paint true things with invented people. . . .

'By Order of the King'²⁷ shall then be England truly, painted by imaginary characters. The historical figures, Anne, for example, shall be seen only in profile. The interest shall be as in *Ruy Blas* and *Les Misérables* only in the historical characters resulting from the historical or aristocratic surroundings of the times, but created by the author.²⁸

Just how shall we interpret Hugo's telling us that here he has truly pictured social England but through the medium of imaginary characters?

To Swinburne who so eloquently reviewed his book, Hugo wrote, July fourteenth, 1869:²⁹

" . . . I thank you from the depths of my heart for your magnificent work on my book. What lofty philosophy and what profound insight is yours!"

And Swinburne had ridiculed those who would seek realism and who would demand facts, who would, in truth, insist on "the dissection of names and the anatomy of probabilities." The case here is certainly not encouraging for the source-seeker. But, understand, the question is not one of finding definite sources for every phase of the problem. It is simply an endeavor to see whether there were in history and in fact actualities which might legitimately be considered suggestive sources.

To find evidence of a 17th century, vagabond, half-organized association of wanderers who traded in children; who worked upon them and sold them other than they had purchased them, altered in shape and countenance, mutilated and deformed, an organization which necessitated stringent laws for its extermination; to find also what manner of society there was in the 17th century England of the story and to trace citations to laws and sources which the author made; that was our problem.

And now, in what has this search resulted?

Two main conclusions seem to stand out; the first, that Victor Hugo has given us a pretty faithful picture of many characteristic details of social England of the 17th century; the second, that the

²⁷ The novel took the definite title: *L'Homme Qui Rit*.

²⁸ Hugo, Victor: *Oeuvres posthumes, correspondance*. 2 v. Par. 1897. v. 2, p. 329-330.

²⁹ *Ibid*, v. 2, p. 338-339.

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Hugonian word Comprachicos is used to describe a people whose characteristics are an unhistorical conglomeration of much that was once actual but then obsolete in the history of human society. Further, it may well be that the immovable grin of the face of the statue of Perkeo, the court dwarf, may have suggested the perpetual laugh for the montebank Gwynplaine.

The story itself has been considered by many as one of the writings of Hugo when he is far from at his best and literary criticism is wont to call it an absurd mixture of the horrible, the fanciful and the impossible. Yet, even by such a cursory survey as this of but a part there appear evidences of much actual though confused and unpleasant history and no little knowledge, skill and ingenuity on the part of the author employed to produce this novel and its doubtful chapter in the literature of a forgotten villainy.